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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,772	12/12/2003	Syogo Hayashi	051841-0113	8726

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WASHINGTON, DC 20007

EXAMINER
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BROWN, DREW J

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/733,772	<b>Applicant(s)</b> HAYASHI ET AL.	
	<b>Examiner</b> Drew J. Brown	<b>Art Unit</b> 3616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2, 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/12/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because in the second line, “an upper and lower brackets” should be changed to --upper and lower brackets--. Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:

In line 9 of page 8, “pieces 7a, 7b.” should be changed to --pieces 7a, 7a.--.

In line 4 of page 9, “he upper plate section” should be changed to --the upper plate section--.

In line 24 of page 9, “plat section” should be changed to --plate section--.

In line 22 of page 10, “18b, 18b” should be changed to --18b, 18c--.

In lines 9 of page 11, “pin hole 15a” should be changed to --pin hole 15c--.

In line 14 of page 13, “which an one side” should be changed to --which one side--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Riefe (U.S. Pub. No. 2004/0046379 A1).

Riefe discloses an upper bracket (22) through which a lower housing of the steering column (16) is installed to a vehicle body (11), and a lower bracket (24) through which the lower housing is installed to the vehicle body, where the lower bracket is spaced from the upper bracket (Figure 3). A first releasing mechanism is provided to the upper bracket to allow the lower housing to slide forward at collision of a vehicle having the steering column (paragraph 55), and a second releasing mechanism is provided between the lower bracket and the lower housing to allow the lower housing to slide forward relative to and release from the lower bracket at the collision of the vehicle (paragraph 55), the second releasing mechanism including means defining a through-hole (hole where steering shaft 16 passes in Figure 6) in the lower bracket. The front end section of the lower housing is projectable forward through the through-hole (Figure 4), an engaging and releasing device (paragraph 56) is provided through which the lower housing is engageable with the lower bracket and releasable from the lower bracket when a forward load is applied to the steering column, and a guide member (36) is disposed forward of the through-hole to slidably guide the bottom surface of the lower housing forward generally along an axial direction of the steering column at a normal state when the lower housing gets out of the through-hole (Figure 4).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riefe.

Riefe discloses the claimed invention as discussed above except for the guide member being formed of a material that is lower in frictional resistance than metal so as to allow easy sliding between the elements. It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the guide member (36) out of a material lower in frictional resistance than metal, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

#### ***Allowable Subject Matter***

7. Claims 2, 4, and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not disclose the support apparatus for a steering column according to claims 2, 4, and 5; therefore, claims 2, 4, and 5 contain allowable subject matter as they recite a steering column with upper and lower brackets each having a releasing mechanism to allow the lower housing of the steering column to slide forward at collision of a vehicle. The lower bracket has a through hole, a guide member is disposed forward of the through hole, wherein the through hole

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and the engaging and releasing device are dimensioned so that the engaging section must be turned from its regular posture in order to be engaged.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Riefe et al., Jurik et al., Fujiu et al., Shimizu et al., Kondoh et al., and Hibino disclose similar collapsible steering assemblies.

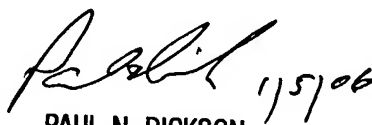
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 7 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew J Brown  
Examiner  
Art Unit 3616

DJB

  
PAUL N. DICKSON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600